

JUSTICE GRAY AND
KADAVEION WALKER

* NUMBER:

632,356

VERSUS

* FIRST JUDICIAL DISTRICT COURT

JACOREY R. BOLTON, MULTIBAND
FIELD SERVICES, INC. AND NATIONAL
UNION FIRE INSURANCE COMPANY OF
PITTSBURGH, PA, IN SOLIDO

* CADDO PARISH, LOUISIANA

PERMANENT ASSIGNMENT

* SECTION:

C

PETITION FOR DAMAGES

The petition of Justice Gray and Kadaveion Walker, who reside and are domiciled in Shreveport, Caddo Parish, Louisiana, respectfully represent:

1.

The following parties, made defendants herein, are justly and legally indebted unto your petitioners, Justice Gray and Kadaveion Walker, jointly, severally, and in solido, in the amounts for damages as are reasonable in the premises, together with legal interest thereon from date of judicial demand until paid, and for all costs of these proceedings, for the reasons and causes of action hereinafter stated:

- (a) Jacorey R. Bolton, an individual of the full age of majority, who resides and is domiciled 187 County Road, Center, Texas 75034, who may be served pursuant to Louisiana Long Arm Statute LSA-R.S. 13:3201 et. seq; and
- (b) Multiband Field Services, Inc., a foreign corporation authorized to do and doing business in the State of Louisiana, which may be served through its agent for service of process, Capitol Corporate Services, Inc., 8550 United Plaza Building II, Suite 305, Baton Rouge, Louisiana 70809; and
- (c) National Union Fire Insurance Company of Pittsburgh, PA, a foreign insurance company, authorized to do and doing business in the State of Louisiana, which may be served through its agent for service of process, Louisiana Secretary of State, 8585 Archives Avenue, Baton Rouge, Louisiana 70809.



2.

At all times mentioned herein:

- (a) Justice Gray, an individual of the full age of majority, was the owner/operator of the 2012 Chevrolet Impala automobile, bearing Louisiana license number 775 CVE;
- (b) Kadaveion Walker, an individual of the full age of majority, was the guest passenger of the 2012 Chevrolet Impala automobile, described above;
- (c) Jacorey R. Bolton was the permissive operator of the 2017 Ford Transit Cargo van, bearing Texas license number KHW 4509, owned by Multiband Field Services, Inc. and operating said vehicle while employed by and acting within the course and scope of his employment with them;
- (d) Multiband Field Services, Inc. was the owner of the 2017 Ford Transit Cargo van, described above, and the employer of defendant, Jacorey R. Bolton; and
- (e) National Union Fire Insurance Company of Pittsburgh, PA was the public liability insurance carrier for Multiband Field Services, Inc. covering the 2017 Ford Transit Cargo van, described above.

3.

The damages for which recovery is sought herein resulted from a motor vehicle collision that occurred on September 1, 2020 at approximately 11:46 p.m. on Interstate 49 south, nearing the Hollywood Avenue exit, in Shreveport, Caddo Parish, Louisiana.

4.

At the time and place and under the circumstances aforesaid, your petitioner, Justice Gray, was traveling in the inside southbound lane of Interstate 49, when her vehicle suffered a blowout of a tire, and as she attempted to move off to the side of the Interstate, defendant, Jacorey R. Bolton, who had been traveling in the outside

southbound lane of Interstate 49, was distracted looking at his GPS and failed to notice the Gray vehicle attempting to move off the interstate, causing the van to strike the Gray vehicle on the driver's side rear of petitioner's vehicle, resulting in the collision, injuries and damages, complained of herein.

5.

Petitioners were free of any negligence and did not contribute to the cause of this collision in any way.

6.

At the time of the collision described above, defendant, Jacorey R. Bolton, was acting within the course and scope of his employment with and on a mission for defendant, Multiband Field Services, Inc.

7.

Petitioners herein show that the collision and resulting damages were caused by the negligence of the said defendant, Jacorey R. Bolton, in the following non-exclusive particulars:

- (a) Failure to see what should have been seen, i.e. petitioners' vehicle;
- (b) Failure to operate his vehicle in a careful and prudent manner;
- (c) Driving while distracted by some non-essential activity or device which prevented him from attending to the primary task of safely operating his vehicle;
- (d) Failure to stop his vehicle prior to impact;
- (e) Failure to take evasive action to avoid the impact;
- (f) Failure to obey Louisiana Statutory Laws; and
- (g) For other acts and omissions to be shown at trial hereof.

8.

Petitioners herein show the collision and resulting damages were caused by the strict and vicarious liability of defendant, Multiband Field Services, Inc., as follows:

- (a) As the employer of Jacorey R. Bolton, who was acting in the course and scope of his employment at the time of the collision;
- (b) Failure to properly supervise and train Jacorey R. Bolton in safe driving operations;
- (c) Failure to enforce company safety policies and procedures; and
- (d) Other acts and omissions to be shown at trial hereof.

9.

Prior to the collision complained of herein, National Union Fire Insurance Company of Pittsburgh, PA issued to Multiband Field Services, Inc., a public liability insurance policy insuring it and any of its employees against any liability for negligence in the operation of a motor vehicle. Said Jacorey R. Bolton was such an employee and said policy of insurance being in full force and effect at the time of the incident complained of herein.

10.

As a result of the aforesaid collision, petitioner, Justice Gray, suffered pain, mental anguish and distress as a result of the injuries she sustained in said collision, including, but not limited to injuries to the cervical, thoracic, and lumbar regions of her spine, bilateral wrist sprains, bilateral knee pains, left foot and ankle pain, and headaches.

11.

Petitioner, Justice Gray, has sustained such damages as are reasonable in the premises, including, but not limited to past and future medical expenses, medical report charges, loss of income, loss of enjoyment of life, past, present and future pain and suffering, and past, present, and future mental anguish and distress, as a result of the above-described collision.

12.

As a result of the aforesaid collision, petitioner Kadaveion Walker, suffered pain, metal anguish and distress as a result of the injuries he sustained in said collision, including but not limited to injuries to his cervical, thoracic, lumbar, sacral and pelvic

regions, disk bulges/protrusions, hand pain, arm numbness, bilateral knee pain, foot pain and headaches.

13.

Petitioner, Kadaveion Walker, has sustained such damages as are reasonable in the premises, including, but not limited to past and future medical expenses, medical report charges, lost wages, loss of enjoyment of life, past, present and future pain and suffering, and past, present, and future mental anguish and distress, as a result of the above-described collision.

14.

The value of the cause of action of each of the individual petitioners exceeds the jurisdictional amount required for trial by jury.

15.

Petitioners show that it will be necessary to call expert witnesses at the trial of this matter, and that the fees of such witnesses should be set by the Court and should be taxed as costs of this suit against defendants.

WHEREFORE, PETITIONERS PRAY that defendants, Jacorey R. Bolton, Multiband Field Services, Inc. and National Union Fire Insurance Company of Pittsburgh, PA, be duly cited to appear and answer this petition, and that each be served with a copy hereof;

That after necessary legal delays and due proceedings had, there would be judgment therein in favor of petitioners, Justice Gray and Kadaveion Walker, and against defendants, Jacorey R. Bolton, Multiband Field Services, Inc. and National Union Fire Insurance Company of Pittsburgh, PA, jointly, severally and in solido, for such damages as are reasonable in the premises, including, but not limited to past and future medical expenses, medical report charges, loss of income, lost wages, loss of enjoyment of life, past, present and future pain and suffering, and past, present, and future mental anguish and distress, together with legal interest thereon from date of judicial demand until paid, and for all costs of these proceedings;

That the fees of expert witnesses be set by the Court and taxed as costs of this suit against defendants;

For all costs of this suit, and for full, general and equitable relief for all orders and decrees necessary and proper in the premises.

Respectfully Submitted,

RICE & KENDIG, LLC



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ATTORNEYS FOR PETITIONERS

PLEASE SERVE:

Pursuant to Louisiana Long Arm Statute:
Jacorey R. Bolton
187 County Road
Center, Texas 75034

Multiband Field Services, Inc.
Through its agent for service of process:
Capitol Corporate Services, Inc.
8550 United Plaza Building II, Suite 305
Baton Rouge, Louisiana 70809

National Union Fire Insurance Company of Pittsburgh, PA
Through its agent for service of process:
Louisiana Secretary of State
8585 Archives Avenue
Baton Rouge, Louisiana 70809

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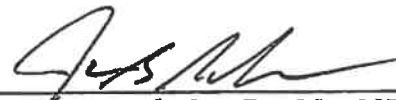
* SECTION:

WRITTEN REQUEST FOR NOTICE OF TRIAL
AND OF JUDGMENT

NOW INTO COURT, come plaintiffs, through undersigned counsel, and request that they be given ten (10) days notice of the date of trial of the above cause by the Clerk of Court of the above court pursuant to Article 1572 of the Louisiana Code of Civil Procedure and request written notice of all final judgments and interlocutory judgments pursuant to Articles 1913 and 1914 of the Louisiana Code of Civil Procedure in regard to all hearings held in the captioned matter.

Respectfully Submitted,

RICE & KENDIG, LLC



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